

30-4-98. Funeral assistance (FA) program. Assistance may be provided for funeral expenses upon the death of a recipient under the TAF, GA, or medical assistance programs. (a) Funeral expenses. Funeral expenses shall include the cost of the following:

- (1)(A) the preparation of the body;
- (B) a minimum casket;
- (C) the transportation of the body within the trade area; and
- (D) a service; or
- (2) a cremation.

(b) Application. Each request for funeral assistance shall be made within six months after either the date of death or the date on which the body is released by a county coroner.

(c) Treatment of resources.

(1) If a decedent, at the time of death, was not living with a child of the decedent who was under age 21, the spouse of the decedent, or an adult disabled child of the decedent, the total estate of the decedent shall be considered available. This provision shall not be applicable in situations in which there were separate living arrangements because of the need for institutional care. The estate shall not be allowed any exemptions.

(2) Eligibility for assistance shall be based on the assets owned by the family group at the time of decedent's death, under these circumstances:

(A) If, at the time of death, a decedent was living with a child of the decedent who was under age 21, the spouse of the decedent, or an adult disabled child of the decedent, or if the decedent was a child under age 21, living with the parent of the decedent; or

(B) if there were living arrangements separate from one of the persons specified in subparagraph (c)(2)(A) because of the need for institutional care.

(3) The total amount of proceeds on any life insurance policy on the decedent shall be considered available if the policy was owned by the decedent, the spouse of the decedent, or if the decedent was a child under age 21, the parent of the decedent.

(4) Death benefits from SSA, VA, railroad retirement, KPERS, and other burial funds shall be considered available.

(d) Resource limit. If the value of the resources considered available in accordance with subsection (c) does not exceed \$2,000, assistance may be provided. If the resource value exceeds \$2,000, the decedent shall be ineligible for assistance.

(e) Assistance provided. If the decedent is eligible, the amount of funeral assistance provided shall be \$680, except that the total cost of funeral expenses, including the \$680 payment, shall not exceed \$2,500. If the total cost exceeds \$2,500, no assistance shall be provided.

This regulation shall be effective on and after January 1, 2008.

(Authorized by and implementing K.S.A. 39-708c and K.S.A. 39-713d; effective Aug. 11, 2006; amended Jan. 1, 2008.)